

### REMARKS

In connection with Applicant's Petition under Rule 37 C.F.R. §1.313 to withdraw the application from issue after payment of the issue fee, and in conjunction with the Request for Continued Examination also being filed in conjunction with the Petition to Withdraw the case from issue, the following Preliminary Amendment is being submitted. This Amendment was discussed with Examiner Menefee on August 10, 2004, and the Examiner indicated that the following three types of changes contained herein were acceptable.

First, in the independent claims previously reciting that the laser fiber had an infeed end, and that the pump source was positioned at the infeed end, such language is now broadened by eliminating recitation of a "infeed end" and by simply reciting that the pump source is positioned at the laser fiber. See claim 422 as an example.

The second type of change is to some of the dependent claims, such as claim 425, for example, where the power density recitation of  $10^8$  W/cm<sup>2</sup> is changed to  $10^7$  W/cm<sup>2</sup>. This change is supported by the Third Substitute Specification recitation at page 11 line 17 where power densities are typically above  $10^7$  through  $10^8$  W/cm<sup>2</sup>.

The third type of change approved by the Examiner are in those claims reciting the word "mirror" where that word has been replaced with the somewhat broader term "reflection surface".

A few minor typographical errors are also corrected by this Preliminary Amendment.

The Examiner indicated that with these changes the claims would still be allowable for the reasons indicated in the paper dated June 1, 2004 and mailed June 18, 2004.

Respectfully submitted,

  
(Req. #27,841)  
Brett A. Valiquet  
**SCHIFF HARDIN LLP**  
Patent Department  
6600 Sears Tower  
Chicago, Illinois 60606  
Telephone: 312-258-5786  
Attorneys for Applicant  
**CUSTOMER NO. 26574**

CH1\4170941.1